

(iii) The master ensures that the discharge is constantly monitored visually and promptly terminated when oil is detected in the discharge; and

(iv) The system is operated manually only until the ballast voyage is completed; and

(7) Is outside the “Special Areas” defined in Regulation 1.11 of Annex I to the MARPOL 73/78.

(b) A seagoing tank vessel of 150 gross tons or more that carries asphalt or other products whose physical properties inhibit effective product/water separation and monitoring must transfer all oil cargo residues and tank washings from such cargoes to a reception facility.

(c) Each oil discharge monitoring and control system must be maintained and operated in accordance with its instructions manual.

(d) All discharge data recorded by an oil discharge monitoring and control system must be retained for at least three years. The data for the most recent year must be retained on board the vessel.

(e) Ballast water containing an oily mixture may be discharged below the waterline at sea by gravity if—

(1) The ballast is not from a slop tank;

(2) Examination with an oil-water interface detector shows that oil-water separation has taken place; and

(3) The oil layer is high enough in the tank so that it will not be discharged.

(The information collection requirement contained in paragraph (d) of this section was approved by the Office of Management and Budget under control number 1625-0041)

[CGD 74-32, 40 FR 48283, Oct. 14, 1975, as amended by CGD 76-088b, 48 FR 45721, Oct. 6, 1983; USCG-2000-7641, 66 FR 55573, Nov. 2, 2001; USCG-2006-25150, 71 FR 39210, July 12, 2006; USCG-2008-0179, 73 FR 35015, June 19, 2008; USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 157.39 Machinery space bilges.

(a) A tank vessel may discharge an oily mixture from a machinery space bilge that is combined with an oil cargo residue if the vessel discharges in compliance with § 157.37.

(b) A tank vessel may discharge an oily mixture from a machinery space

bilge that is not combined with an oil cargo residue if the vessel:

(1) Is proceeding en route;

(2) Is discharging an effluent with an oil content of less than 15 parts per million; and

(3) Has in operation an oil discharge monitoring and control system in compliance with § 157.12 and oil separating equipment in compliance with 33 CFR 155.380.

[CGD 74-32, 40 FR 48283, Oct. 14, 1975, as amended by USCG-2000-7641, 66 FR 55573, Nov. 2, 2001; USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 157.41 Emergencies.

Sections 157.27, 157.29, 157.37, and 157.39 do not apply to a tank vessel that discharges into the sea oil or oily mixtures:

(a) For the purpose of securing the safety of the vessel or for saving life at sea; or

(b) As a result of damage to the vessel or its equipment if:

(1) Reasonable precautions are taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and

(2) The owner, master or person in charge did not intend to cause damage, or did not act recklessly and with knowledge that damage of the environment would probably result.

§ 157.43 Discharges of clean and segregated ballast: Seagoing tank vessels of 150 gross tons or more.

(a) Clean ballast may not be discharged overboard unless the discharge is verified as clean ballast through use of an approved oil discharge monitoring and control system or, if discharged before the required oil discharge monitoring and control system installation date, by visual examination of the ballast contents immediately before discharge. This paragraph applies to discharges of clean ballast:

(1) From dedicated clean ballast tanks; and

(2) Into the navigable waters of the United States from any other tank.

(b) Segregated ballast may not be discharged overboard unless a visual examination, or a test of the ballast